

**From:** [Melissa Smith](#)  
**To:** [Paul James](#); [Gary Miller](#); [Terry Johnson](#); [Bruce Jones](#); [Jay Przyborski](#); [Susan Spalding](#); [Richard Ehrhart](#)  
**Subject:** Demo plan  
**Date:** 11/20/2012 10:32 AM

---

I found out from the city that Exide has applied for a demolition permit which is under review. It requires an asbestos assessment. Also, they have submitted a decontamination and demolition plan to TCEQ which includes dust suppression and air monitoring. My city contact is e-mailing the plan to me but I haven't received it yet.

He also mentioned a public meeting to be held in December, but no date yet.

Will forward the plan when I get it.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

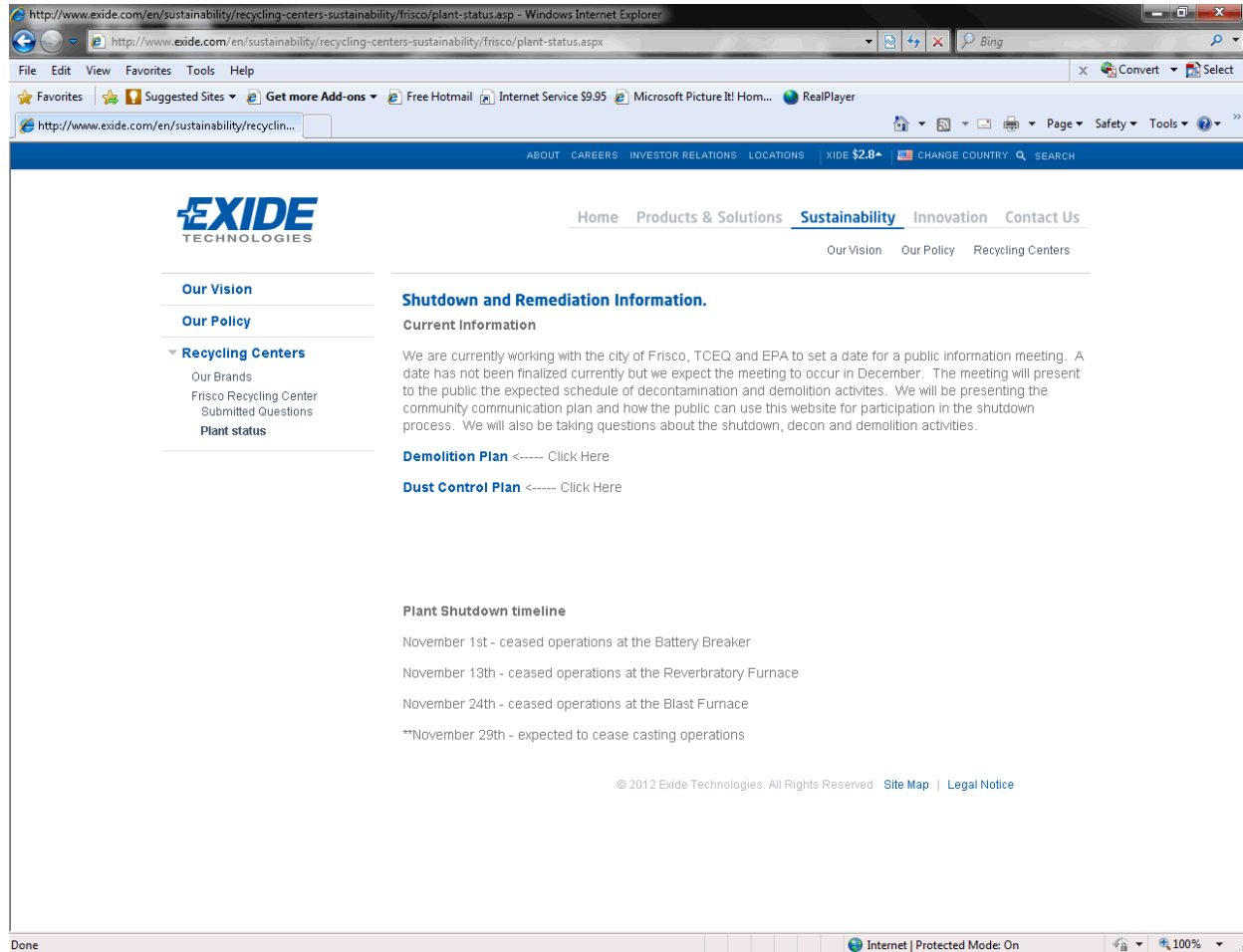
This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

From: [Melissa Smith](#)  
To: [Susan Spalding](#); [Jay Przyborski](#); [Bruce Jones](#); [Terry Johnson](#); [Richard Ehrhart](#); [Gary Miller](#); [Paul James](#)  
Subject: Exide public web page updated  
Date: 11/29/2012 12:09 PM

Exide has updated their public web site regarding the demolition. Here is the link (and a snapshot below of what is on the page).  
<http://www.exide.com/en/sustainability/recycling-centers-sustainability/frisco/plant-status.aspx>

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.



http://www.exide.com/en/sustainability/recycling-centers-sustainability/frisco/plant-status.aspx - Windows Internet Explorer

http://www.exide.com/en/sustainability/recycling-centers-sustainability/frisco/plant-status.aspx

File Edit View Favorites Tools Help

★ Favorites ★ Suggested Sites ▾ Get more Add-ons ▾ Free Hotmail Internet Service \$9.95 Microsoft Picture It! Home... RealPlayer

http://www.exide.com/en/sustainability/recyclin...

ABOUT CAREERS INVESTOR RELATIONS LOCATIONS XIDE \$2.0+ CHANGE COUNTRY SEARCH

**EXIDE**  
TECHNOLOGIES

Home Products & Solutions **Sustainability** Innovation Contact Us

Our Vision Our Policy Recycling Centers

**Our Vision**

**Our Policy**

▼ **Recycling Centers**

- Our Brands
- Frisco Recycling Center
- Submitted Questions
- Plant status**

**Shutdown and Remediation Information.**

**Current Information**

We are currently working with the city of Frisco, TCEQ and EPA to set a date for a public information meeting. A date has not been finalized currently but we expect the meeting to occur in December. The meeting will present to the public the expected schedule of decontamination and demolition activities. We will be presenting the community communication plan and how the public can use this website for participation in the shutdown process. We will also be taking questions about the shutdown, decon and demolition activities.

**Demolition Plan** <----- Click Here

**Dust Control Plan** <----- Click Here

**Plant Shutdown timeline**

- November 1st - ceased operations at the Battery Breaker
- November 13th - ceased operations at the Reverbratory Furnace
- November 24th - ceased operations at the Blast Furnace
- \*\*November 29th - expected to cease casting operations

© 2012 Exide Technologies. All Rights Reserved [Site Map](#) | [Legal Notice](#)

Done Internet | Protected Mode: On 100%

**From:** [Melissa Smith](#)  
**To:** [Susan Spalding](#); [Gary Miller](#); [Richard Ehrhart](#); [Kishor Fruitwala](#); [Paul James](#); [Guy Tidmore](#); [Jay Przyborski](#); [Bruce Jones](#); [Terry Johnson](#)  
**Subject:** Exide soliciting public input on its landfill RAWP....  
**Date:** 01/03/2013 10:12 AM

---

FYI - Exide has updated its website to include a "landfill update" page which solicits comments on its RAWP. The deadline for public comment is January 22. I assume we will still submit our comments to TCEQ with a copy to Exide.

<http://www.exide.com/en/sustainability/recycling-centers-sustainability/frisco/landfill-updates.aspx>

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

**From:** [Melissa Smith](#)  
**To:** [Susan Spalding](#); [Gary Miller](#); [Richard Ehrhart](#); [Terry Johnson](#); [Bruce Jones](#); [Jay Przyborski](#); [Guy Tidmore](#)  
**Subject:** Exide update  
**Date:** 02/01/2013 11:31 AM

---

I spoke with Vanessa Coleman at Exide this morning just to get a quick update on where they are in the process with demolition, VCP plan, community relations plan, etc. Here is the run-down that I got from her:

1. They are waiting for approval from TCEQ on the demolition plan before moving forward. Their goal is to start demolition on Feb 11. In the meantime, they have been working on decontamination and removal of equipment.
2. The city is currently reviewing the draft Community Relations Plan. They have a standing Monday morning meeting with the city so she hopes to get their comments on Monday.
3. They plan to submit the revised RAWP to TCEQ today.
4. For the public meeting next week, they will have the following people there:
  - Susan (I missed her last name), who is the VP of communications for Exide, will moderate
  - Bruce Cole who is part of the executive management team
  - Matt Love, environmental director
  - Vanessa Coleman, not sure what her title is now....but handling the environmental stuff at the Frisco facility
  - Frank Clark - consultant handling the landfill remediation
  - PB&W - consultant handling the decon/demo
  - RSI - contractor doing the work for both projects

The agenda for the meeting is do an overview introduction and give the anticipated schedule for ALL activities, then focus specifically on decon, demo, and the landfill. The next meeting they will give an update on all activities and then focus on the plan for the VCP, etc. The plan is to do several public meetings throughout the process focusing on whatever the "big" activity is going on at that time.

5. She wasn't able to give me an update on the VCP agreement since that is being handled by Matt Love, not Vanessa.

Melissa

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.



**From:** [Melissa Smith](#)  
**To:** [Gary Miller](#); [Richard Ehrhart](#)  
**Cc:** [Susan Spalding](#)  
**Subject:** Fw: Exide SLERA Work Plan pdf  
**Date:** 01/07/2013 08:14 AM  
**Attachments:** [SLERA Work Plan Dec 21 2012.pdf](#)

---

FYI...Exide has re-submitted a workplan to Paul and TCEQ for conducting an eco-risk assessment (this was required under the 3013 order which is now the TCEQ order). My understanding is that they are doing three separate assessments; this one doesn't include the J parcel or landfill which will be done separately.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 01/07/2013 08:10 AM -----

From: Paul James/R6/USEPA/US  
To: Melissa Smith/R6/USEPA/US@EPA  
Date: 01/07/2013 08:07 AM  
Subject: Fw: Exide SLERA Work Plan pdf

---

Hi Melissa- Happy New Year!

FYI: Attached below is the revised SLERA work plan for Exide.

I will be talking to Gary today to see what the state says about it. It is a better deliverable than last time, so I think it is a go.

Please remember it is only for a limited area (not including the "J" parcel or the landfill area in the NE.

-Paul

Paul D. James, Jr., P.G.  
U.S. Environmental Protection Agency, Region 6  
Hazardous Waste Enforcement Branch (6EN-HC)  
1445 Ross Avenue, Dallas, Texas 75202  
214-665-6445 (desk)  
214-665-7446 (fax)

"This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies."

----- Forwarded by Paul James/R6/USEPA/US on 01/07/2013 08:02 AM -----

From: "Eric Pastor" <[eric.pastor@pbwllc.com](mailto:eric.pastor@pbwllc.com)>  
To: Paul James/R6/USEPA/US@EPA, "Gary Beyer" <[gary.beyer@tceq.texas.gov](mailto:gary.beyer@tceq.texas.gov)>, "Merrie Smith" <[merrie.smith@tceq.texas.gov](mailto:merrie.smith@tceq.texas.gov)>, <[larry.champagne@tceq.texas.gov](mailto:larry.champagne@tceq.texas.gov)>

Cc: "Love, Matt" <Matt.Love@exide.com>, "Kirby Tyndall" <kirby.tyndall@pbwllc.com>, "Margaret Roy" <margaret.roy@pbwllc.com>, "Roberta McClure" <roberta.mcclure@pbwllc.com>  
Date: 12/21/2012 01:16 PM  
Subject: Exide SLERA Work Plan pdf

---

Hi Paul, Gary, Merrie and Larry –

Please find attached a revised Work Plan for the Screening Level Ecological Risk Assessment at the Exide site. This revised work plan incorporates our discussions over the last couple weeks on the previous draft - thanks for your input.

Right now, we are tentatively planning on collecting the surface soil samples described in the work plan during the week of January 14. Please let us know if you have any changes to the proposed sampling or would like us to hold off on that schedule.

Hope you have a great holiday!

Thanks.

Eric Pastor  
Pastor, Behling & Wheeler, LLC  
2201 Double Creek Drive, Suite 4004  
Round Rock, Texas 78664  
512-671-3434



SLERA Work Plan Dec 21 2012.pdf

**From:** [Melissa Smith](#)  
**To:** [Richard Ehrhart](#); [Gary Miller](#); [Paul James](#); [Guy Tidmore](#)  
**Subject:** Fw: TCEQ approves penalties, work plans for Exide Technologies  
**Date:** 01/30/2013 01:24 PM

---

FYI...I watched the live webcast of the meeting. It is summarized pretty well in the post below.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 01/30/2013 01:22 PM -----

From: Ruben Casso/R6/USEPA/US  
To: Susan Spalding/R6/USEPA/US@EPA, Melissa Smith/R6/USEPA/US@EPA, Terry Johnson/R6/USEPA/US@EPA, Maria Martinez/R6/USEPA/US@EPA  
Date: 01/30/2013 12:47 PM  
Subject: TCEQ approves penalties, work plans for Exide Technologies

---

## TCEQ approves penalties, work plans for Exide Technologies



By [Valerie Wigglesworth/Reporter](#)  
[vwigglesworth@dallasnews.com](mailto:vwigglesworth@dallasnews.com)  
[11:53 am on January 30, 2013](#) | [Permalink](#)

The Texas Commission on Environmental Quality unanimously approved the agreed order for Exide Technologies at its meeting in Austin this morning.

The order assesses \$592,868 in penalties for 12 violations found at the Frisco plant in 2011. It also requires Exide to make certain changes to address some of those violations at the plant, which closed in November. One of the more contentious items involves the plant's nonhazardous waste landfill, where inspectors found hazardous levels of lead and cadmium.

Both contaminants were produced during the recycling of used vehicle batteries over nearly five decades of operations at the plant. Cadmium is a known carcinogen. Lead causes a multitude of health problems. In children, it has been linked to lowered academic achievement, learning disabilities and behavior problems.

The plans included in the order today call for removing the hazardous waste in the landfill, re-treating it until it is no longer hazardous and then disposing of it again in the landfill. Groundwater monitoring is also planned.

Frisco resident Karen Baker and several of her neighbors had submitted detailed comments opposing the order and the way the landfill was being handled. Exide has since responded in writing, with several changes being made in response to those comments. Baker testified at Wednesday's hearing, asking that commissioners delay the vote so that residents could review Exide's revisions and make further comments.

"I came all the way from Frisco today to personally convey our great disappointment and frustration over what seems to us as a callous disregard for public involvement relative to the proposed cleanup process," she said.

But TCEQ staff said the agreed order is set up to allow for changes based on public comments. The process was working as it was intended, they said.

They also noted that the work in the agreed order was meant to address the violations found and to bring the company into compliance. Further public comments would be allowed as cleanup of the plant property – and closure of the landfill – progresses.

[Exide is posting its plans on its website](#) and has scheduled a public meeting for 7 p.m. Feb. 6 at The Depot at the Frisco Heritage Center for a progress report.

Commissioner Bryan Shaw said he appreciated Baker's concern and encouraged her to remain involved as the process goes forward. "This is important that it's done properly for the little ones, for our children and for our grandchildren," he said.

**From:** [Melissa Smith](#)  
**To:** [Susan Spalding](#); [Richard Ehrhart](#); [Gary Miller](#); [Terry Johnson](#)  
**Subject:** signed TCEQ Agreed Order  
**Date:** 02/11/2013 03:01 PM  
**Attachments:** [Order\\_2011-1712-IHW-E.pdf](#)

---

Below is the signed TCEQ AO with Exide.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 02/11/2013 02:59 PM -----

From: Paul James/R6/USEPA/US  
To: Jay Przyborski/R6/USEPA/US@EPA, Melissa Smith/R6/USEPA/US@EPA, John Penland/R6/USEPA/US@EPA  
Cc: Troy Stuckey/R6/USEPA/US@EPA, Guy Tidmore/R6/USEPA/US@EPA  
Date: 02/11/2013 01:33 PM  
Subject:

---

FYI: Attached below is a signed copy of the TCEQ AOC with Exide.

Enjoy.

-Paul

*["Nothing in the world is more dangerous than sincere ignorance and conscientious stupidity."](#)*  
[MLK, Jr.](#)

Paul D. James, Jr., P.G.  
U.S. Environmental Protection Agency, Region 6  
Hazardous Waste Enforcement Branch (6EN-HC)  
1445 Ross Avenue, Dallas, Texas 75202  
214-665-6445 (desk)  
214-665-7446 (fax)

"This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies."



[- Order\\_2011-1712-IHW-E.pdf](#)

**From:** [Melissa Smith](#)  
**To:** [Paul James](#); [Gary Miller](#); [Terry Johnson](#)  
**Cc:** [Susan Spalding](#); [Bruce Jones](#); [Jay Przyborski](#)  
**Subject:** "buffer" sample results  
**Date:** 09/12/2012 10:05 AM  
**Attachments:** [FIG 5 - PII Lead Concentrations in SS Group 3.pdf](#)  
[FIG 1 - PI Lead Concentration in SS.pdf](#)  
[FIG 2 - PI Cadmium Concentration in SS.pdf](#)  
[FIG 3 - PII Lead Concentrations in SS Group 1.pdf](#)  
[FIG 4 - PII Lead Concentrations in SS Group 2.pdf](#)

---

FYI. Attached are the results of soil sampling done by Exide on the property being purchased by the City.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 09/12/2012 10:03 AM -----

From: "LOVE, Matt (Reading Equipment Center)" <[Matt.Love@exide.com](mailto:Matt.Love@exide.com)>  
To: [Melissa.Smith/R6/USEPA/US@EPA](mailto:Melissa.Smith/R6/USEPA/US@EPA)  
Date: 09/12/2012 09:49 AM  
Subject:

---

Melissa,

Per your request and our recent discussions, attached are arials on which analytical results of soil samples collected on the parcels being acquired by the City of Frisco have been overlain. These figures were used during our negotiations with the City and their release has been authorized by our legal department.

Matt

---

This message (including any attachments) may contain protected information and is intended only for the individual(s) named. If you are not a named addressee you should not disseminate, distribute or copy this e-mail. If you have received this e-mail

in error, please notify sender by e-mail and delete this e-mail.



FIG 5 - PII Lead Concentrations in SS Group 3.pdf



FIG 1 - PI Lead Concentration in SS.pdf



FIG 2 - PI Cadmium Concentration in SS.pdf



FIG 3 - PII Lead Concentrations in SS Group 1.pdf



FIG 4 - PII Lead Concentrations in SS Group 2.pdf

**From:** [Melissa Smith](#)  
**To:** [Susan Spalding](#)  
**Cc:** [Gary Miller](#); [Paul James](#)  
**Subject:** Frisco update  
**Date:** 08/14/2012 11:32 AM

---

Just FYI, I spoke with the assistant city manager, Ron Patterson, in Frisco. He is sending me the boundary maps showing the property that the city is purchasing, and is checking on whether or not he has the sampling data to send me....he thinks that Exide may have done the sampling.

Also, they have not received the MSD application yet but it sounds like Exide may still be in the process of pulling together all of the documentation to submit it. I asked him to let me know if/when they receive it.

Melissa

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.



**From:** [Melissa Smith](#)  
**To:** [Susan Spalding](#); [Gary Miller](#); [Kishor Fruitwala](#); [Bruce Jones](#); [Richard Ehrhart](#)  
**Subject:** Fw: Exide Technologies - Frisco  
**Date:** 11/09/2012 01:27 PM  
**Attachments:** [Exide Extension Request \(11.9.12\).pdf](#)

---

Just FYI...Exide has requested an extension of time (120 days) to complete the site assessment work required under the Corrective Action Order.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 11/09/2012 01:24 PM -----

From: Paul James/R6/USEPA/US  
To: Troy Stuckey/R6/USEPA/US@EPA, Jay Przyborski/R6/USEPA/US@EPA  
Cc: Melissa Smith/R6/USEPA/US@EPA  
Date: 11/09/2012 12:50 PM  
Subject: Fw: Exide Technologies - Frisco

---

FYI; See Below-

-Paul

Paul D. James, Jr., P.G.  
U.S. Environmental Protection Agency, Region 6  
Hazardous Waste Enforcement Branch (6EN-HC)  
1445 Ross Avenue, Dallas, Texas 75202  
214-665-6445 (desk)  
214-665-7446 (fax)

"This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies."

----- Forwarded by Paul James/R6/USEPA/US on 11/09/2012 12:49 PM -----

From: "LOVE, Matt (Reading Equipment Center)" <[Matt.Love@exide.com](mailto:Matt.Love@exide.com)>  
To: Sunita Singhvi/R6/USEPA/US@EPA  
Cc: Paul James/R6/USEPA/US@EPA, Gary Beyer <[gary.beyer@tceq.texas.gov](mailto:gary.beyer@tceq.texas.gov)>  
Date: 11/09/2012 12:24 PM  
Subject: Exide Technologies - Frisco

---

Sunita and Paul,

Please find attached a request for an extension for submittal of a revised Site Investigation Report. Details of the request are indicated on the attached.

Thank you for your consideration.

Matt Love

---

This message (including any attachments) may contain protected information and is intended only for the individual(s) named. If you are not a named addressee you should not disseminate, distribute or copy this e-mail. If you have received this e-mail in error, please notify sender by e-mail and delete this e-mail.



Exide Extension Request (11.9.12).pdf

**From:** [Melissa Smith](#)  
**To:** [Guy Donaldson](#); [Terry Johnson](#)  
**Cc:** [Paul James](#)  
**Subject:** Fw: Lead contamination from Frisco Exide plant extends into Plano District 2  
**Date:** 05/18/2012 07:57 AM

---

Guy & Terry, FYI....a representative from the city of Plano will be at the meeting Monday (they contacted TCEQ). Apparently the mailer that was sent out a few weeks ago by Frisco Unleaded shows a projection of contamination extending into part of Plano.

Melissa Smith  
U.S. Environmental Protection Agency, Region 6  
Hazardous Waste Enforcement Branch (6EN-HC)  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
214-665-7446 (fax)  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 05/18/2012 07:52 AM -----

From: Dorothy Lewis <[dorothy.lewis@tceq.texas.gov](mailto:dorothy.lewis@tceq.texas.gov)>  
To: Paul James/R6/USEPA/US@EPA  
Cc: Melissa Smith/R6/USEPA/US@EPA  
Date: 05/17/2012 04:27 PM  
Subject: FW: Lead contamination from Frisco Exide plant extends into Plano District 2

---

Hey Paul,  
I returned to find a message from the City of Plano waiting for me. I though you would be interested. They plan on attending the open house on Monday.

Dorothy Lewis  
Solid Waste Section  
TCEQ DFW Region  
2309 Gravel Dr.  
Fort Worth, TX 76118  
Phone: (817) 588-5824  
Fax: (817) 588-5706

**From:** Dorothy Lewis  
**Sent:** Thursday, May 17, 2012 4:16 PM  
**To:** 'Geoffrey Heinicke'

**Cc:** Sam Barrett; Erin Gorman; Annette Maxwell; Alyssa Taylor  
**Subject:** RE: Lead contamination from Frisco Exide plant extends into Plano District 2

Mr. Heinicke,

I have provided the following link to the EPA document illustrating the nonattainment zone. This document also provides additional information you may find useful when speaking to your mayor and city council members. Again, if you have any additional questions, people with answers will be at the meeting on Monday. Thank you for contacting this office with your concerns.

[http://www.epa.gov/leaddesignations/2008standards/rec/letters/06\\_TX\\_EPAMOD2.pdf](http://www.epa.gov/leaddesignations/2008standards/rec/letters/06_TX_EPAMOD2.pdf)

**From:** Geoffrey Heinicke [<mailto:geoffreyh@plano.gov>]  
**Sent:** Thursday, May 17, 2012 3:54 PM  
**To:** Dorothy Lewis  
**Subject:** FW: Lead contamination from Frisco Exide plant extends into Plano District 2

Ms. Lewis-

The email we received.

Thank you for your help on this.  
Geoff

Geoffrey Heinicke, MPH, RS  
Environmental Health Manager  
City of Plano  
972-941-7143  
[geoffreyh@plano.gov](mailto:geoffreyh@plano.gov)

**From:** Prakash Parameswaran [<mailto:prakashok@yahoo.com>]  
**Sent:** Wednesday, May 09, 2012 9:19 AM  
**To:** Brian Collins; Phil Dyer; Bruce Glasscock; Pat Miner; Ben Harris; André Davidson; Lissa Smith; Lee Dunlap; Jim Duggan; Pat Gallagher  
**Cc:** [schermbeck@aol.com](mailto:schermbeck@aol.com)  
**Subject:** Lead contamination from Frisco Exide plant extends into Plano District 2

Hello,

Here is a map that shows Lead contamination from the Exide plant in Frisco. **It extends into into Plano District 2**, the area that Ben Harris is responsible for.

<http://archive.constantcontact.com/fs049/1102600045057/archive/1109806282721.html>

This location is the only one in TX that does not meet EPA Lead Pollution Standards. I would like to urge the City of Pano to work closely with the City of Frisco to get that plant shut down. It is indeed deplorable that residents have no protections from these pollutants.

Sincerely,

Prakash Parameswaran  
3901 Woodlawn Lane, Plano, TX 75025

**From:** [Melissa Smith](#)  
**To:** [Susan Spalding](#); [Gary Miller](#); [Paul James](#)  
**Cc:** [Bruce Jones](#); [Jay Przyborski](#)  
**Subject:** Fw: Map of Exide Property Purchase  
**Date:** 08/17/2012 08:58 AM  
**Attachments:** [ExhibitB\\_BufferProperty.pdf](#)

---

FYI...here is the map showing the property being purchased by the City of Frisco. They are in the process of getting the sampling locations and data to me.

Also, I had a vm message from the City's attorney, Kerry Russell, saying they (the city) are pursuing an MSD for the entire property - both City-owned and Exide-owned.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 08/17/2012 08:55 AM -----

From: Ron Patterson <[RPatterson@friscotexas.gov](mailto:RPatterson@friscotexas.gov)>  
To: Melissa Smith/R6/USEPA/US@EPA  
Cc: Kerry Russell <[krussell@txadminlaw.com](mailto:krussell@txadminlaw.com)>, 'Art Rodriguez' <[arodriguez@txadminlaw.com](mailto:arodriguez@txadminlaw.com)>, George Purefoy <[GPurefoy@friscotexas.gov](mailto:GPurefoy@friscotexas.gov)>, "Henry Hill" <[HHill@friscotexas.gov](mailto:HHill@friscotexas.gov)>  
Date: 08/16/2012 06:53 PM  
Subject: Map of Exide Property Purchase

---

Ms. Smith:

Please find attached a copy of a map which generally reflects the property being purchased by the City from Exide. This is a general depiction only and not tied to a metes and bounds description or gps coordinates.

[Ron Patterson](#)  
[Assistant City Manager](#)  
[6101 Frisco Square Blvd.](#)  
[Frisco, Texas 75034](#)



ExhibitB\_BufferProperty.pdf

**From:** [Melissa Smith](#)  
**To:** [Susan Spalding](#); [Gary Miller](#)  
**Subject:** Notes from Frisco Town Hall meeting  
**Date:** 10/17/2012 01:22 PM

---

Just FYI...apparently there was a town hall meeting in Frisco on Monday night and one the topics was the Exide closure. Terry Johnson received the summary below from someone who represents a couple of Frisco residents.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

----- Forwarded by Melissa Smith/R6/USEPA/US on 10/17/2012 01:11 PM -----

From: Terry Johnson/R6/USEPA/US  
To: Melissa Smith/R6/USEPA/US@EPA, Paul James/R6/USEPA/US@EPA  
Cc: Guy Donaldson/R6/USEPA/US@EPA, Ruben Casso/R6/USEPA/US@EPA  
Date: 10/17/2012 01:02 PM  
Subject: Fw: September Monitoring Data

---

FYI -- Jimmy Schnurr's notes from the Frisco town hall meeting this past Monday evening.

Terry

Terry Johnson  
U.S. EPA Region 6 Air Planning Section  
214-665-2154

----- Forwarded by Terry Johnson/R6/USEPA/US on 10/17/2012 01:01 PM -----

From: Jimmy Schnurr <[JSchnurr@rwtrial.com](mailto:JSchnurr@rwtrial.com)>  
To: Terry Johnson/R6/USEPA/US@EPA  
Date: 10/17/2012 11:01 AM  
Subject: RE: September Monitoring Data

---

Thanks Terry.

I attended the Frisco Town Hall meeting Monday night concerning the closure of Exide.



Following are the highlights:

1. The plant is scheduled to close by December 1, 2012.
2. It is estimated that the plant will be dismantled and the smoke stacks removed by July, 2013.
3. Once the buildings are removed, the final soil testing will be conducted. The City will determine at that time what other elements beyond lead will be tested (cadmium, arsenic ...)
4. George Purefoy noted that the costs to clean-up the property that the City is purchasing will be less than \$1 million.
  - a. The City has set aside \$1 million for the clean-up of the City's newly-purchased property.
  - b. Exide will conduct and oversee the clean-up, using the \$1 million the City put aside for the clean-up.
  - c. If the costs exceed \$1 million, the City and Exide will share the additional costs 50/50.
  - d. George also noted that there was extensive soil testing done in the downtown area in the 1990's and the contamination is not that significant.
  - e. George stated that the most significant contamination found in the 1990's was from lead paint chips off of old houses.
5. George stated that the property the City purchased will be cleaned to a standard of 250 parts per million or less.
6. George stated that the property retained by Exide will be cleaned "per the TCEQ's and the EPA's standards" and that "the City's regulatory authority over that property is more limited."

No mention last night concerning the bonds.

**James R. Schnurr**, Attorney at Law

Russell & Wright, PLLC | 15770 Dallas Parkway, Suite 1050 | Dallas, Texas 75248  
972.267.8400 *phone* | 972.267.8401 *fax* | [jschnurr@rwtrial.com](mailto:jschnurr@rwtrial.com)

**From:** Johnson.Terry@epamail.epa.gov [mailto:Johnson.Terry@epamail.epa.gov]

**Sent:** Wednesday, October 17, 2012 10:06 AM

**To:** Jimmy Schnurr; jocomac95@sbcglobal.net; eileencanavan@tx.rr.com

**Subject:** September Monitoring Data

I received the certified monitoring data for the September 30 monitoring event this morning. Attached is a updated spreadsheet with the certified September data added. The rolling 3-month average increased again with the month of September, to a value of 0.22 ug/m3. Once again, it was the Eubanks monitor with the highest 3-month average of the four monitors in the network.

To my knowledge, TCEQ has still not received the official plant closure notice stipulated in the agreed order with Exide. However, I am informed that Exide has told TCEQ that such a notice is being prepared and will be submitted by the November 1 deadline. I will forward a copy to you as soon as I receive it.

Please let me know if you have any questions concerning the monitoring data.

Regards,

Terry

Terry Johnson  
U.S. EPA Region 6 Air Planning Section  
214-665-2154

**From:** [Melissa Smith](#)  
**To:** [Paul James](#)  
**Cc:** [Terry Johnson](#); [Guy Donaldson](#)  
**Subject:** Re: Fw: June Monitoring Data for Frisco  
**Date:** 07/20/2012 02:46 PM

---

It wasn't a RCRA cleanup. The only thing in RCRAInfo is an inspection conducted by the state in 1993. I'm going to check with superfund to see if they did anything.

Melissa Smith, Chief  
RCRA Corrective Action & Waste Minimization Section (6PD-C)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Ave  
Dallas, TX 75202  
214-665-7357  
[smith.melissa@epa.gov](mailto:smith.melissa@epa.gov)

This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance, or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

▼ Paul James---07/20/2012 02:02:52 PM---Hi Terry- Sorry I don't know anything about the past cleanup of Bicentennial Park. I sure it was we

From: Paul James/R6/USEPA/US  
To: Terry Johnson/R6/USEPA/US@EPA  
Cc: Guy Donaldson/R6/USEPA/US@EPA, Melissa Smith/R6/USEPA/US@EPA  
Date: 07/20/2012 02:02 PM  
Subject: Re: Fw: June Monitoring Data for Frisco

---

Hi Terry-  
Sorry I don't know anything about the past cleanup of Bicentennial Park. I sure it was well before my time. I'm getting ready to go to NM next week for an inspection. When I get back, feel free to let me know if there is anything I can do. Hopefully, Melissa may know more about it.  
Good Luck.  
-Paul

Paul D. James, Jr., P.G.  
U.S. Environmental Protection Agency, Region 6  
Hazardous Waste Enforcement Branch (6EN-HC)  
1445 Ross Avenue, Dallas, Texas 75202  
214-665-6445 (desk)  
214-665-7446 (fax)

"This email may contain material that is confidential, privileged and/or attorney work product and is for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies."

▼ Terry Johnson---07/20/2012 11:55:13 AM---Melissa & Paul, Can you help me with Ms. Canavan's inquiry regarding past cleanup of the Bicentennial

From: Terry Johnson/R6/USEPA/US  
To: Paul James/R6/USEPA/US@EPA, Melissa Smith/R6/USEPA/US@EPA  
Cc: Guy Donaldson/R6/USEPA/US@EPA  
Date: 07/20/2012 11:55 AM  
Subject: Fw: June Monitoring Data for Frisco

---

Melissa & Paul,

Can you help me with Ms. Canavan's inquiry regarding past cleanup of the Bicentennial Park site in Frisco? I'm not sure where to direct her for answers to her questions, or if we were even involved in the cleanup. The park is located at McKinney Road and Sunset Drive, about 1 - 2 miles northeast of the Exide plant site. Its EPA Registry number is 110017284035, and its RCRA facility ID number is TXD988088266.

Thanks,

Terry

Terry Johnson  
U.S. EPA Region 6 Air Planning Section  
214-665-2154

----- Forwarded by Terry Johnson/R6/USEPA/US on 07/20/2012 11:51 AM -----

From: <eileencanavan@tx.rr.com>  
To: Terry Johnson/R6/USEPA/US@EPA  
Date: 07/19/2012 09:56 PM  
Subject: Re: June Monitoring Data for Frisco

---

Hi Terry-

Thanks for the info about the air monitors. I will chart the wind direction on the pre-determined collection days as it always explains the monitor data better.

Can you help me find out some information about Bicentennial park clean up back in 1992-1994? It is on the EPA site (link below) but there is absolutely no pertinent information listed.

Can you tell me or direct me to the answers:

- 1) What was cleaned up and by what entity?
- 2) Did the EPA or TCEQ oversee the cleanup?
- 3) Was it land clean up and what readings soil testing prompted the remediation?
- 4) Where did the toxic waste/soil go? Buried or taken off site to where?
- 5) Has there been any testing in the park. We heard through residents that it was closed for the clean up- how long did it take?
- 6) Who paid for cleanup? Did Exide, City of Frisco, TCEQ or the EPA pay for the clean up?
- 7) Was testing performed after the clean up? How large of an area was cleaned up?

- 8) What was the level of toxins (lead, cadmium, arsenic etc) before and after the clean up.  
9) Was there any community involvement with the clean up?

Also, I cannot find anything about how Frisco got out of its 1st Non Attainment status back in 1992. The governor asked for Frisco to be put back in Attainment status but I cannot find what GNB did to get this status removed in 1999. Can you elaborate on the process back to attainment.

On December 7th 2011 we sent a video to TCEQ asking what EXACT amount of lead, arsenic, cadmium and all other toxins were released by Exide on that specific day. It was not a monitoring collection day. I got a letter from Elizabeth Smith stating that after the investigation by tceq there were NO UNUSUAL activities on that day. We need more specifics as there were several complaints called into me that day. Where can I get the emissions data? I have called and emailed no less than 11 people and got the letter dated June 12, 2012- six months after the incident of alot of activity at the plant and the wind was blowing away from any and all monitors. Any suggestions who else i can get the data from Exide on that day?

As always- I appreciate you.

Eileen Canavan

[http://ofmpub.epa.gov/enviro/fii\\_query\\_dtl.disp\\_program\\_facility?  
pgm\\_sys\\_id\\_in=TXD988088266&pgm\\_sys\\_acrnm\\_in=RCRAINFO](http://ofmpub.epa.gov/enviro/fii_query_dtl.disp_program_facility?pgm_sys_id_in=TXD988088266&pgm_sys_acrnm_in=RCRAINFO)  
----